

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

BLAKE ARNOLD LINDSEY

PLAINTIFF

v.

No.:3:09CV057-M-A

COMMISSIONER OF SOCIAL SECURITY

DEFENDANT

ORDER CONCERNING CONSENT TO MAGISTRATE JUDGE

It is the policy of the district judges of the Northern District of Mississippi to strongly encourage the parties in social security disability cases to consent to have their cases handled by a magistrate judge. Consent streamlines the legal process because the legal standard of review is identical at all levels in the judicial review process. If the parties consent to have the case handled by a magistrate judge, the undersigned will enter a final decision and judgment in due course. Any appeal of this judgment must be taken directly to the Fifth Circuit Court of Appeals. If the parties do not consent to have the case handled by a magistrate judge, the undersigned will prepare and file a Report and Recommendation for consideration by the district judge assigned to the case. The district judge will then enter a final decision and judgment in due course. An appeal from that judgment is taken to the Fifth Circuit.

Accordingly, it is

ORDERED:

1. Within fifteen days of the filing of Plaintiff's brief, the Commissioner shall initiate contact with plaintiff's counsel (or plaintiff if appearing *pro se*) to discuss consent to the

jurisdiction of the magistrate judge. If the parties consent to have a magistrate judge handle the case, each counsel (or plaintiff is appearing *pro se*) shall sign the Consent to Exercise of Jurisdiction by a United States Magistrate Judge portion of the Notice which can be found on the courts web site and each shall file his or her consent form with the court within thirty days of the filing of plaintiff's brief. When the court receives both signed consent forms, the district judge will sign the Order of Reference referring the case to the appropriate magistrate judge.

2. If the parties do not consent to the jurisdiction of a magistrate judge, the Commissioner shall within twenty days from the date of filing of plaintiff's brief file a notice with the court stating that the parties do not consent to the jurisdiction of a magistrate judge. This notice shall not identify which party or parties withholds consent.

SO ORDERED, this the 22nd day of February, 2010.

/s/ S. Allan Alexander

UNITED STATES MAGISTRATE JUDGE